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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/594,719	09/29/2006	Roland Schutz	4590-579	9398
33308	7590	10/28/2008		
LOWE HAUPTMAN & BERNER, LLP 1700 DIAGONAL ROAD, SUITE 300 ALEXANDRIA, VA 22314				
EXAMINER				
LEE, ANDREW CHUNG CHEUNG				
ART UNIT		PAPER NUMBER		
2419				
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10/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/594,719

Applicant(s)

SCHUTZ ET AL.

Examiner

Andrew C. Lee

Art Unit

2419

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SF/88)
Paper No(s)/Mail Date 9/29/2006
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the Application no. 10594719 filed on 9/29/2006.

Claim 1 is hence entered and presented for examination.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 9/29/2006 was filed, and the submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

4. The drawings are objected to because the elliptical diagram in Fig. 2 is not labeled with full text. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the

replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The abstract of the disclosure is objected to because the clause "Figure 2 to be published" should be deleted. Correction is required. See MPEP § 608.01(b).
6. The disclosure is objected to because of the following informalities: regarding the specification, the arrangement of the Specification is improper. The section headings are missing. For example

- (f) BACKGROUND OF THE INVENTION.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS

Appropriate correction is required.

7. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.
- (f) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (g) BRIEF SUMMARY OF THE INVENTION.
- (h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (i) DETAILED DESCRIPTION OF THE INVENTION.
- (j) CLAIM OR CLAIMS (commencing on a separate sheet).
- (k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

8. The disclosure is objected to because of the following informalities: The acronyms "IP-S, L2P, L3P, FRW, TAD IPZ, MTG. CDS", on page 5, and "MSG, LCC, GTW, MGW, TUN. IAD, MAG, ACS" on page 6, and "LOC, QSM" on page 7 should be spelled out in full text at least once in the specification. For instance, as indicted on on page 1, Common Open Protocol Service (COPS).

Appropriate correction is required.

Claim Objections

9. Claim 1 is objected to because of the following informalities:

Regarding claim 1, the acronym for ACS, LOC and QSM should be spelled out in full text at least once in the claim. Appropriate correction is required.

Regarding claim 1, the clause “adapted to” lines 9, and 16 is not a positive recitation. Appropriate correction is required.

Regarding claim 1, line 13, the paragraph should end with semicolon “;” instead with a comma “,”.

Regarding claim 1, line 15, the paragraph should end with semicolon “;” instead with a comma “,”.

Regarding claim 1, line 17, the paragraph should end with semicolon “;” instead with a full stop/period “.”.

Regarding claim 1, the clause “characterized in that it” should be amended as “said system for dynamically controlling equipment. If not specified clearly, one of ordinary skill in the art would know the “it” refers to — a system or a communication system?

Appropriate correction is required.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. Claim 1 recites the limitations “the mobility of users” in lines 5 – 6; “the authentication of users” in lines 9 – 10; “the IP addresses” in lines 10 – 11; “the network components” in line 12; “the authenticated users” in lines 12 – 13; “the highways of the

network" in line 17; "the various user services" in line 19; "the network components" in line 19; and "the external entities". There is insufficient antecedent basis for these limitations in the claim.

12. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Regarding claim 1, the claimed subject matter "a block" is not clear. One of ordinary skill in the art would have difficult time to configure out what "a block" refers to. Does the "block" refer to a software component or does it refer hardware component. Clarification is required.

Claim Rejections - 35 USC § 102

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Amin et al. (US 6714987 B1).

Regarding claim 1, Amin et al. disclose a system for dynamically controlling equipment in a communication system, taking into account the dynamics associated at least with the mobility of users (Fig. 2, Fig. 3, col. 5, lines 48 – 62), characterized in that it comprises at least one control module comprising at least: a control block comprising: a control component ACS adapted to process the authentication of users connected to the network, dynamic configuration of the IP addresses, management of authorizations for service requests from users, configuration of the network components according to the authenticated users (Fig. 2, Fig. 3, col. 13, lines 7 – 22, col. 15, lines 36 – 52); a control component LOG for the process of user affiliation, server mobility, user location and application-oriented service routing (Fig. 2, Fig. 3; col. 11, lines 9 – 24); a control component QSM adapted to process service quality management on the highways of the network (“QoS policy and policy enforcement points”; Fig. 2, Fig. 3, Fig. 19, col. 27, lines 45 – 55); a block comprising one or more of the following elements: a component for the various user services, the network components, a component for connectivity to the external entities (“establishing and managing voice, paging, short message service (SMS), and circuit and packet data oriented services”; Fig. 2, Fig. 3; col. 7, lines 31 – 53).

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Bjelland et al. (US 6973054 B2).

- b) Amin et al. (US 20020152319 A1).
- c) Dantu et al. (US 7225238 B1).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571)272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edan Orgad can be reached on (571) 272-7884. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andrew C Lee/
Examiner, Art Unit 2419
<10/18/2008:1Qy09>

/Salman Ahmed/
Examiner, Art Unit 2419